

6 June 1988
OCA 1631-88

MEMORANDUM FOR: (See Distribution)

FROM: Deputy Director for Legislation
Office of Congressional Affairs

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SUBJECT: House Passage of Fiscal Year 1989 Intelligence
Authorization Bill

On 26 May 1988, the House of Representatives passed and sent to the Senate H.R. 4387, the Fiscal Year 1989 Intelligence Authorization bill. Attached for your information is a copy of the floor debate on the bill (Congressional Record, 26 May 1988, pp. H3652-89). Also attached is a chart depicting the status of the bill as a result of the floor action.

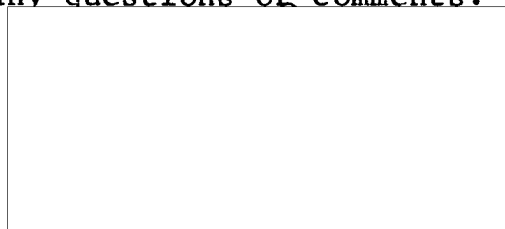
The following are some of the highlights of the House debate:

- Panetta Suspends Action On GAO Oversight Bill.
You will note the colloquy on pp. H3656-57 between Representatives Stokes, Chairman of the House Permanent Select Committee on Intelligence (HPSCI) and Representative Panetta, sponsor of H.R. 3603, a bill providing for access to Agency records by the General Accounting Office (GAO). They agree, for the record, that Panetta will not push his bill at this time, given the work of HPSCI on H.R. 3822, (its version of the new oversight bill) and the expected increase in the HPSCI staff's auditing capabilities.
- Swindall Amendment Withdrawn. On pp. H3657-62 you will note that Representative Swindall speaks on behalf of his amendment which would have tightened restrictions on the diplomatic personnel travel and mission sitings of Bloc, terrorist and other hostile countries. Although he withdrew the amendment "because of a conflict with the Parliamentarian," he promises to add it to next year's Department of State authorization bill.
- "Drug-Free Workplace" Amendment Not Offered. The so-called "Drug-Free Workplace" amendment of Representative Walker, which it had appeared would be offered to the bill during floor consideration, was not put forward.

- EEO Report Provision & Former Spouses Technical Amendments. Both were adopted - pp. H3663-65.
- Surprise Effort To Aid Contras Defeated. Otherwise routine consideration of the bill was interrupted when Representative Hyde offered a surprise floor amendment to strike (effective 1 October 1988) the restrictions that now exist on the use of the Reserve for Contingencies to assist the Contras. The House, after a lengthy debate, rejected the amendment by a surprisingly close vote of 214-190 (pp. H3665-86). You will note Representative Cheney's vigorous denial of charges made by Representative Frank that Agency employees were convicted of crimes in the Iran/Contra affair (pp. H3673-74).
- Miscellaneous Amendments. The House then adopted several miscellaneous amendments. These included an amendment to conform the provision in the bill creating an Assistant Secretary of Defense for Intelligence to a similar provision in the DoD FY-89 authorization bill (p. H3687), and an amendment placing caps on the amount of allowances paid to personnel eligible under the FBI's New York City Field Office demonstration project (p. H3688).
- POW/MIA Live Sighting Reports. Also adopted was an amendment previously cleared with the Defense Intelligence Agency providing for the release of certain POW/MIA live sighting reports (p. H3687).

The Senate is not expected to take up the House-passed bill and its Senate counterpart, S. 2366, until mid-June. Please let this office know if you have any questions or comments.

Attachments
as stated



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SUBJECT: House Passage/FY-89 Intelligence Authorization Bill

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(Number in parenthesis after an item indicates its inclusion in the Intelligence Community Legislative Program for the 100th Congress, 2nd Session.)

FY '89 INTELLIGENCE AUTHORIZATION BILL: ITEMS IN HPSCI & SSCI BILLS

HPSCI BILL - H. R. 4387 (Introduced 4/14/88) (ordered reported 4/15/88) H. Rpt. No. 100-591, Part I	FINAL HOUSE FLOOR ACTION (5/26/88)	SSCI BILL - S. 2366 (reported out as original bill 5/11/88) Sen. Rpt. No. 100-334	FINAL SENATE FLOOR ACTION (--)	CONFERENCE REPORT (Filed - --)
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1. CONGRESSIONALLY-INITIATED ITEMS

DCI Advisory Committees Compensation	No	No	Yes (§503)	--	--
FBI NYC Demonstration Project (100/2-28)	Yes (§601)	Yes <u>1</u> (modified)	Yes (§601)	--	--
CIA/NSA EEO Reports	Yes (§403)	Yes	No	--	--
DIA NonDisclosure Authority Redesignation	Yes (§703)	Yes	No	--	--
Assistant Secretary of Defense for Intelligence	Yes (§702)	Yes <u>2</u> (modified)	No	--	--
NSA Foreign Cryptologic Support Authority	Yes (§701)	Yes	Yes (§701)	--	--
Overt, "Earmarked" Budget Items	Yes (§101)	Yes	Yes (§101)	--	--

1 - Modified by Ackerman Amendment2 - Conformed to DoD FY'89 auth bill version by Mavroules Amendment

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	<u>HPSCI BILL - H. R. 4387</u>	<u>HOUSE ACTION</u>	<u>SSCI BILL - S. 2366</u>	<u>SENATE ACTION</u>	<u>CONFERENCE REPORT</u>
1. (Con't)					
POW/MIA Live Sightings Report Declassification	No	Yes (§404) <u>3</u>	No	--	--
DIA/DMA Personnel Reduction Exemption	Yes (§102)	Yes	No	--	--
Nicaraguan Restrictions	Yes (§104)	Yes <u>4</u>	No	--	--
CIA IG Provisions	No	No	Yes (§504)	--	--
CIARDS "Former Spouses" Technical Corrections	No	Yes (§302) <u>5</u>	No	--	--
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2. <u>ITEMS FROM ADMINISTRATION BILL</u> (H.R. 4430 - Rep. Hyde, by request)					
"Mole Relief Reopener" (Not in Program)	Yes (§501)	Yes	Yes (§501)	--	--
FERS "2nd Chance" (100/2-34)	No	No	Yes (§502)	--	--

3 - Smith/Solarz Amendment
4 - Hyde Amendment to lift defeated
5 - McHugh Amendment